

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DAVID L. FLOYD, :  
Petitioner, : Civil Action No. 11-3593 (JBS)  
v. :  
DONNA ZICKEFOOSE, :  
Respondent. :  
:

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**O R D E R**

THIS MATTER having come before the Court by way of petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, on behalf of Petitioner David L. Floyd, and by way of a motion to dismiss filed by the named respondent (Docket entry no. 12), and the Court having considered the written submissions of the parties and the relevant administrative record, and for the reasons set forth in the Opinion filed herewith,

IT IS on this 28th day of February, 2012,

ORDERED that Respondent's motion to dismiss the petition (Docket entry no. 12) is hereby GRANTED; and it is further

ORDERED that the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 is DISMISSED WITHOUT PREJUDICE, for Petitioner's failure to exhaust administrative remedies, or alternatively, for lack of subject matter jurisdiction; and it is further

ORDERED that the Clerk shall serve a copy of this Order upon Petitioner by regular mail and shall forward the Order to the

attorney for Respondent by way of electronic filing; and it is finally

ORDERED that the Clerk is directed to close the file accordingly.

s/ Jerome B. Simandle  
JEROME B. SIMANDLE, Chief Judge  
United States District Court